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9 *Attorneys for Plaintiff*
MASTEROBJECTS, INC.

10
11 UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 MASTEROBJECTS, INC.,

15 Plaintiff,

16 v.

17 GOOGLE INC.,

18 Defendant.
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Case No. CV 11-1054 PJH

**PLAINTIFF MASTEROBJECTS, INC.'S
ANSWER TO DEFENDANT GOOGLE
INC.'S THIRD AMENDED
COUNTERCLAIMS**

JURY TRIAL DEMANDED

ANSWER TO COUNTERCLAIMS

MasterObjects, Inc. (“MasterObjects”), Plaintiff and Counter-Defendant, hereby states its Answer to the Counterclaims alleged by Google Inc. (“Google”), demands a jury trial, and alleges as follows:

Nature of the Action

1. Answering the allegations in Paragraph 1, MasterObjects admits said allegations.

The Parties

2. Answering the allegations in Paragraph 2, MasterObjects admits said allegations.

3. Answering the allegations in Paragraph 3, MasterObjects admits said allegations.

Jurisdiction And Venue

4. Answering the allegations in Paragraph 4, MasterObjects admits said allegations.

5. Answering the allegations in Paragraph 5, MasterObjects admits said allegations.

COUNT ONE

Declaratory Judgment of Non-Infringement of U.S. Patent No. 7,752,326

6. Answering the allegations in Paragraph 6, MasterObjects restates and realleges its answer to Paragraphs 1 through 5 of Google’s Counterclaims above as if set forth fully herein.

7. Answering the allegations in Paragraph 7, MasterObjects admits said allegations.

9. Answering the allegations in Paragraph 9, MasterObjects denies said allegations.

Declaratory Judgment of Invalidity of U.S. Patent No. 7,752,326

11. Answering the allegations in Paragraph 11, MasterObjects admits said allegations.

12. Answering the allegations in Paragraph 12, MasterObjects admits said allegations.

13. Answering the allegations in Paragraph 13, MasterObjects denies said allegations, and denies that Google is entitled to the relief requested.

Declaratory Judgment of Non-Infringement of U.S. Patent No. 8,060,639

15. Answering the allegations in Paragraph 15, MasterObjects admits said allegations.

1 25. Answering the allegations in Paragraph 25, MasterObjects denies said
2 allegations.

3 **COUNT SIX**

4 **Declaratory Judgment of Invalidity of U.S. Patent No. 9,112,529**

5 26. Answering the allegations in Paragraph 26, MasterObjects restates and
6 realleges its answer to Paragraphs 1 through 5 of Google's Counterclaims above as if set
7 forth fully herein.

8 27. Answering the allegations in Paragraph 27, MasterObjects admits said
9 allegations.
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11 28. Answering the allegations in Paragraph 28, MasterObjects admits said
12 allegations.

13 29. Answering the allegations in Paragraph 29, MasterObjects denies said
14 allegations, and denies that Google is entitled to the relief requested.
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16 **EXCEPTIONAL CASE**

17 30. Answering the allegations in Paragraph 30, MasterObjects denies said
18 allegations, and denies that Google is entitled to the relief requested.

19 **RESERVATION OF ADDITIONAL COUNTERCLAIMS**

20 31. Answering the allegations in Paragraph 31, Paragraph 31 states a purported
21 reservation of rights to which no response is required.
22

23 **PRAYER FOR RELIEF**

24 Answering Google's Prayer for Relief, MasterObjects denies that Google is entitled
25 to any of the relief it requests, including the relief Google requests in its paragraphs A-I.
26

27 WHEREFORE, Plaintiff prays for entry of judgment:
28

1 A. Dismissing Google's Counterclaims in their entirety with prejudice, and awarding
2 Google no compensation or remedy of any kind or nature;

3 B. that the Patents-in-Suit are valid and enforceable;

4 C. that Defendant has infringed one or more claims of the Patents-in-Suit;

5 D. that Defendant account for and pay to Plaintiff all damages caused by the
6 infringement of the Patents-in-Suit, which by statute can be no less than a reasonable royalty;

7 E. that this Court issue a preliminary and final injunction enjoining Google, its
8 officers, agents, servants, employees and attorneys, and any other person in active concert or
9 participation with them, from continuing the acts herein complained of, and more
10 particularly, that Google and such other persons be permanently enjoined and restrained from
11 further infringing the instant search patent;

12 F. that Plaintiff be granted pre-judgment and post-judgment interest on the
13 damages caused to them by reason of Defendant's infringement of the Patents-in-Suit;

14 G. that this Court require Defendant to file with this Court, within thirty (30)
15 days after entry of final judgment, a written statement under oath setting forth in detail the
16 manner in which Defendant has complied with the injunction;

17 G. that this be adjudged an exceptional case and the Plaintiff be awarded its
18 attorney's fees in this action pursuant to 35 U.S.C. § 285;

19 H. that this Court award Plaintiff its costs and disbursements in this civil
20 action, including reasonable attorney's fees; and

21 I. that Plaintiff be granted such other and further relief as the Court may deem
22 just and proper under the current circumstances.
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1 Dated: May 4, 2012

Respectfully submitted,

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3 /s/William P. Nelson

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17 *Attorneys for Plaintiff*

18 *MASTEROBJECTS, INC.*

DEMAND FOR JURY TRIAL

Plaintiff, by its undersigned attorneys, demands a trial by jury on all issues so triable.

Dated: May 4, 2012

Respectfully submitted,

/s/William P. Nelson

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